



Legislative Bulletin.....March 7, 2007

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H.R. 700 — Health Communities Water Supply Act of 2007

Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 1

Total Cost of Discretionary Authorizations: \$125 million total

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 0

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 1

H.R. 700 — Health Communities Water supply Act of 2007
(McNerney, D-CA)

Order of Business: The bill is scheduled for consideration on Wednesday, March 7, 2007, likely subject to a modified open rule requiring pre-filing of all amendments in the *Congressional Record* by close of business on Tuesday, March 6, 2007.

Summary: H.R. 700 would **reauthorize, at \$125 million with no fiscal year limitation,** an expired federal “pilot” program that provides grants to state water resource development agencies, local government agencies, and other entities, for alternative water source projects. According to current law, an alternative water source project is

defined as “a project designed to provide municipal, industrial, and agricultural water supplies in an environmentally sustainable manner by conserving, managing, reclaiming, or reusing water or wastewater or by treating wastewater. Such term does not include water treatment or distribution facilities.”

Specifically, the bill would strike the program’s current authorization through 2004 and total funding level (\$75 million over three years), and authorize the program at \$125 million, **with no specified program termination date—even though the program is labeled as a *pilot* program.**

Some conservatives may be concerned that this bill authorizes \$125 million in federal grants for alternative water source projects. In addition, some conservatives may contend that this bill actually creates a new program, as CBO has stated, “The pilot program that would be authorized by this bill has not been previously funded.”

Additional Information: According to Committee Report [110-15](#), “In recent years, there has been increasing interest by communities across the nation and by Congress in ensuring the availability of water sources to meet future water supply needs. Growth in population and increasing environmental awareness are causing many communities to explore alternative water supplies through reclamation, reuse, and conservation.”

Committee Action: H.R. 700 was introduced on January 29, 2007, and referred to the House Committee on Transportation and Infrastructure, which held a mark-up and reported the bill by voice vote, as amended, on February 7, 2007.

Cost to Taxpayers: CBO confirms that H.R. 700 would authorize \$25 million in FY2007 and a total of \$125 million over five years.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The bill reauthorizes an expired grant program.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply With the House Earmark Rule?: According to Committee Report 110-15, H.R. 700 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: The Transportation and Infrastructure Committee, in Committee Report 110-15 cites constitutional authority in Article I, Section 8, but fails to cite a specific clause.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution” (*emphasis added*).

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